

Jaime Rodriguez

Dear Sir or Madam:

I am writing this letter because I am concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could prevent me from continuing as a Market America Independent Distributor. I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices," but some of the sections in the proposed rule will make it very difficult if not impossible for me to sell Market America products and services.

I have been an Independent Distributor for Market America, Inc. for 4 months. Originally, I became a customer of the company's products. Because I like them and wanted to earn some additional money – I became a small business owner. Now my family depends on this extra income to supplement our budget...

One of the most confusing and burdensome sections of the proposed rule is the seven day waiting period to enroll new distributors. Market America's subscription (sales) kit costs under one hundred dollars. People buy TVs, cars, and other items that cost much more than that and they do not have to wait seven-days. This waiting period gives the impression that there might be something wrong with the plan. I also think this seven-day waiting period is unnecessary. Under this waiting period requirement, I will need to keep very detailed records about when I first speak to someone about Market America and will then have to send in many reports to Market America headquarters. The paperwork will be overbearing and burdensome.

The proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. This requirement may be in violation of my state's laws regulating referrals, testimonials and advertising. Furthermore, people are very uncomfortable giving out the personal information of individuals to strangers - especially without their approval and the possibility of identity theft. Also, giving away this information could damage the business relationship of the references who may be involved in other companies or businesses including those of competitors.

The proposed rule also calls for the release of any information regarding lawsuits. It does not matter if the company was found innocent. Today, anyone or any company can be sued for almost anything. It does not make sense to me that I would have to disclose these lawsuits. Market America and I are put at an unfair disadvantage - even though Market America has done nothing wrong.

I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule has many unintended consequences for small business owners like me. And, that there are less burdensome alternatives available in achieving its goals.

Thank you for your time in considering my comments.

Sincerely,

Jaime Rodriguez

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